

01-28-05

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DOCKET NO.: ISIS-5203

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Brenda F. Baker, et al.

Confirmation No.: 7522

Application No.: 10/700,920

Group Art Unit: 1635

Filing Date: November 4, 2003

Examiner: Not Yet Assigned

For: **OLIGOMERIC COMPOUNDS HAVING MODIFIED BASES FOR BINDING TO CYTOSINE AND URACIL OR THYMINE AND THEIR USE IN GENE MODULATION**

EXPRESS MAIL LABEL NO: EL998518595US

DATE OF DEPOSIT: *January 27, 2005*

**EL998518595US**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or

before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

- ☐ Certification in Accordance with § 1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☒ Copies of reference numbers **252 – 256 and 269** listed on the attached Form PTO-1449 are enclosed herewith.

- ☒ Copies of reference numbers **257 - 268** on the attached Form PTO 1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(i).

- ☐ Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.

- ☐ The relevance of those listed references which are not in the English language is as follows:

**DOCKET NO.: ISIS-5203**

**- 3 -**

**PATENT**

There are no listed references which are not in the English language.

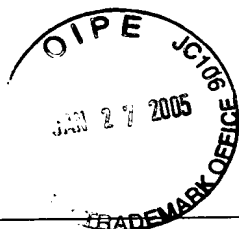
Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date: *January 27, 2005*

*Jane E. Inglese*  
\_\_\_\_\_  
Jane E. Inglese  
Registration No. 48,444

WOODCOCK WASHBURN LLP  
One Liberty Place - 46th Floor  
Philadelphia, PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439

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<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office	Docket No. ISIS-5203	Application No. 10/700,920
	Applicant Brenda F. Baker, et al.	
	Filing Date November 4, 2003	Group 1635
	Confirmation No. 7522	

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

*	252	Amarzguioui, M., et al., "Tolerance for mutations and chemical modifications in a siRNA," <i>Nucleic Acids Res.</i> , <b>2003</b> , 31(2), 589-595
**	253	Bass, B.L., "Double-stranded RNA as a template for gene silencing," <i>Cell</i> , <b>2000</b> , 101, 235-238
****	254	Caplen, et al., "Specific inhibition of gene expression by small double-stranded RNAs in invertebrate and vertebrate," <i>Proc. Natl. Acad. Sci.</i> , <b>2001</b> , 98, 9742-9747
****	255	Paddison, P.J., et al., "Stable suppression of gene expression by RNAi in mammalian cells," <i>PNAS</i> , <b>2002</b> , 99(3), 1443-1448
****	256	Wang, J., et al., "Cyclohexene nucleic acids (CeNA): serum stable oligonucleotides that activate RNase H and increase duplex stability with complementary RNA," <i>J. Am. Chem. Soc.</i> , <b>2000</b> , 122, 8595-8602

**EXAMINER**

**DATE CONSIDERED**

\* Cited on PCT International Search Report dated January 6, 2005 (PCT/US03/35071).

\*\* Cited on PCT International Search Report dated January 10, 2005 (PCT/US03/35067).

\*\*\*\*Cited on PCT International Search Report dated January 7, 2005 (PCT/US03/35061).

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### U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
****	257	5,567,811	10/22/96	Mistura, et al.	536	25.34
****	258	5,576,427	11/19/96	Cook, et al.	536	23.1
****	259	5,602,240	02/11/97	De Mesmaeker, et al.	536	22.1
****	260	5,607,922	03/04/97	De Clercq, et al.	514	43
****	261	5,639,873	06/17/97	Barascut, et al.	536	25.3
****	262	5,681,940	10/28/97	Wang, et al.	536	22.1
***	263	6,150,510	11/21/00	Seela, et al.	536	22.1
***	264	6,294,522 B1	09/25/01	Zablocki, et al.	541	46
****	265	6,329,346 B1	12/11/01	Muhlegger, et al.	514	44
***	266	2002/0160393 A1	10/31/02	Symonds, et al.	435	6
*	267	2003/0143732 A1	07/31/03	Fosnaugh, et al.	435	325
*	268	2003/0206887 A1	11/06/03	Morrissey, et al.	424	93.2

### FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
**	269	WO 03/072705 A2	09/04/03	PCT		

**EXAMINER****DATE CONSIDERED**

- \* Cited on PCT International Search Report dated January 6, 2005 (PCT/US03/35071).
- \*\* Cited on PCT International Search Report dated January 10, 2005 (PCT/US03/35067).
- \*\*\*Cited on PCT International Search Report dated January 4, 2005 (PCT/US03/35146).
- \*\*\*\*Cited on PCT International Search Report dated January 7, 2005 (PCT/US03/35061).